

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JAMES E. BILLIOT

PETITIONER

VS.

CIVIL ACTION NO. 1:86CV549TSL

**CHRISTOPHER B. EPPS, Commissioner,
Mississippi Department of Corrections and
LAWRENCE KELLY, Superintendent,
Mississippi State Penitentiary**

RESPONDENTS

ORDER GRANTING MOTION TO SUPPLEMENT RECORD

This matter is before the Court on the Unopposed Motion of Petitioner to Supplement the Record of the June 25-26 Hearing, by which he asks that a video clip that was shown at the recent hearing to determine competency, as well as a transcript of the audio portion of the video, be made a part of the record of that hearing. The audio portion of that video was not transcribed by the Court; therefore, although the entire video from which the clip was excerpted was admitted into evidence, there is no record of the particular part that was shown at the hearing. Respondents do not object to this request, and the Court is of the opinion that the video and the transcript will aid the Court in reviewing the evidence presented at the hearing.

IT IS, THEREFORE, ORDERED that the Unopposed Motion of Petitioner to Supplement the Record of the June 25-26 Hearing [222] is hereby **granted**, and the copy of the video and transcript that have been conventionally filed will be considered a part of the record of that hearing.

IT IS SO ORDERED, this the 20th day of July, 2009.

/s/Tom S. Lee

UNITED STATES DISTRICT JUDGE